

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. William H. Walls

v. : Crim. No. 07-979 (WHW)

Francis Esteban Jacobs Calletano :

ORDER

This matter having come before the Court on April 28, 2008, by K. Anthony Thomas, Assistant Federal Public Defender, appearing on behalf of Francis Esteban Jacobs-Calletano, in order to formally inform the Court and the government (Matthew E. Beck, Assistant U.S. Attorney, appearing) about a family member's concern about Mr. Jacobs-Calletano's mental state,

WHEREAS the Court was advised that on March 28, 2008, with the assistance of a Spanish Interpreter, Mr. Jacobs-Calletano executed a plea agreement;

WHEREAS the Court directed two questions to Mr. Jacobs-Calletano to which the Court determined that the answers were non-responsive;

WHEREAS the Court directed that Mr. Jacobs-Calletano be designated to a Bureau of Prison Facility for mental evaluation to determine his competency to stand trial;

WHEREAS the government having no objections to the Court's conclusion,

IT IS on this 6 day of May, 2008,

ORDERED that pursuant to 18 U.S.C. §§ 4241(a) and 4247(b) and (c), the United States Marshals Service shall transport defendant, Francis Esteban Jacobs-Calletano, to an appropriate facility for a period of thirty (30) days for psychiatric or psychological evaluation to determine whether the defendant presently suffers from any mental disease or defect rendering

him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense, and for further purpose of determining whether he is in need of custody for care or treatment in a suitable facility; and it is further

ORDERED that within thirty (30) days of the date of entry of this Order, a report shall be prepared and filed with the Court which shall include: (1) the defendant's present symptoms, if any; (2) a description of the psychiatric tests that were employed and their results; (3) the examiner's opinion as to diagnosis and prognosis; (4) the examiner's opinion as to whether the defendant presently suffers from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him, to assist properly in his defense; and (5) whether the defendant is in need of custody for care or treatment in a suitable facility.

A handwritten signature in black ink, appearing to read 'W. H. Walls', is written over a horizontal line.

Honorable William H. Walls
United States District Judge